

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) CASE NO. 2:21cv244-ECM
) (wo)
BART EDMISTON, *et al.*,)
)
Defendants.)

ORDER

This cause is before the Court on a Motion to Strike Defendant Louis Orr Priester, III's Answer (doc. 76) and a Second Motion for Entry of Default (doc. 81). The Court held a telephone status conference in this case on May 18, 2022, to discuss these motions as well as the parties' Report of Planning Meeting (doc. 72). Based on the record and the representations made during the status conference, it is hereby ORDERED as follows:

1. The motion to strike (doc. 76) is DENIED as moot in light of Louis Orr Priester, III's subsequently filed amended answer (doc. 79).
2. The second motion for entry of default (doc. 81) is construed to contain a request that the Clerk enter default and is DENIED to the extent that it moves for entry of default by the Court.
3. Based on the representation during the status conference and in the record (doc. 81 at 1, n.1) that the claims against Carl Edmiston have been settled, Carl Edmiston is DISMISSED as a Defendant.

4. With outstanding issues of default, the Court will not enter an Uniform Scheduling Order at this time. Should the parties choose to alter proposed scheduling order dates, they are DIRECTED to file a new Report of Parties Planning Meeting within **ten days** of the resolution of the default issues.

DONE this 20th day of May, 2022.

/s/ Emily C. Marks

EMILY C. MARKS

CHIEF UNITED STATES DISTRICT JUDGE